

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

**NANCY J. ROSENSTENGEL
Clerk of Court**

750 Missouri Avenue
P. O. Box 249
East St. Louis, Illinois 62202
(618) 482-9371

301 West Main
Benton, Illinois 62812
(618) 439-7760

Reply to: East St. Louis

NOTICE OF THE FILING OF A NOTICE OF APPEAL

June 17, 2010

Re: USA v. John Bacon
09-30101-003-MJR

The attached copy of the notice of appeal is being sent to all parties pursuant to Federal Rule of Appellate Procedure 3(d). The record on this appeal is due to be prepared on or before **6/28/10**.

You should consult the Federal Rules of Appellate Procedure and the Circuit Rules of the United States Court of Appeals for the Seventh Circuit concerning the record on appeal, the appeal fee, the docketing statement, and other procedural requirements for perfecting the appeal.

Circuit Rule 10(a) provides that the entire record (except for certain pleadings listed in the rule) be forwarded to the Court of Appeals. If any of the automatically excluded items need to be included in the record, the appellant has **14 days** from the filing of the notice of appeal to inform the district court clerk by **specifying which items are required and the date on which they were filed**. Please respond by e-filing or by mail (if pro se) to the following office location:



U.S. Clerk's Office
301 West Main Street
Benton, IL 62812
Ph: (618) 439-7760



U.S. Clerk's Office
750 Missouri Avenue
P. O. Box 249
East St. Louis, IL 62202
Ph: (618) 482-9371

Counsel must ensure that exhibits to be included in the record which are not in the possession of the district court are furnished to the clerk of the district court within **14 days** after the notice of appeal is filed.

Federal Rule of Appellate Procedure 10(b) requires that within **14 days** of the filing of the notice of appeal, the appellant must order **from the court reporter** a transcript of the

parts of the proceedings not already on file which are necessary for the record. If the appellant orders less than the entire transcript, the appellant must file and serve on the appellee a description of the parts ordered. When this is done, the appellee has **14 days** after service within which to order any additional parts of the transcript. A blank "Seventh Circuit Transcript Information Sheet" is attached. This form should be used when ordering transcripts or certifying that none will be ordered.

NANCY J. ROSENSTENGEL, Clerk of Court

By: *s/Cheryl A. Ritter*
Deputy Clerk

cc: All Attorneys of Record
Court Reporters

SEVENTH CIRCUIT TRANSCRIPT INFORMATION SHEET

PART I - Must be completed by party or party's attorney pursuant to Rule 10(b) of the Federal Rules of Appellate Procedure and Rule 11(a) of the Circuit Rules. The appellant must file this form with the court reporter within 14 days of filing the notice of appeal, whether transcript is being ordered or not. (FRAP 10(b)(1)) "Satisfactory arrangements with the court reporter for payment of the cost of the transcripts" must be made at that time (FRAP 10(b)(4)) (Note: Appellees as well as appellants are expected to use this form when ordering transcripts.)

Short Title	District	D.C. Docket No.
	District Judge	Court Reporter

<input type="checkbox"/> I am ordering transcript. <input type="checkbox"/> I am not ordering transcript, because: <input type="checkbox"/> The transcript has been prepared.	Sign below and return original and one copy to court reporter. Distribute remaining copies to Clerk of the District Court and opposing party, retaining one copy for yourself.
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Indicate proceedings for which transcript is required. Dates must be provided:

Date(s) _____

<input type="checkbox"/> Pre-trial proceedings. Specify: _____ <input type="checkbox"/> Voir Dire Trial or hearing. Specify: _____ <input type="checkbox"/> Opening statement <input type="checkbox"/> Instruction conference <input type="checkbox"/> Closing statements <input type="checkbox"/> Court instructions <input type="checkbox"/> Post-trial proceedings. Specify: _____ <input type="checkbox"/> Sentencing <input type="checkbox"/> Other proceedings. Specify: _____	_____
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Method of Payment:	<input type="checkbox"/> Cash <input type="checkbox"/> Full Payment	<input type="checkbox"/> Check or Money Order <input type="checkbox"/> Partial Payment	<input type="checkbox"/> C.J.A. Voucher <input type="checkbox"/> No Payment Yet
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Signature: _____	Telephone No. _____
Address: _____	Date: _____

Part II – Must be completed by Court Reporter pursuant to Rule 11(b) of the Federal Rules of Appellate Procedure. By signing this Part II, the Court Reporter certifies that satisfactory arrangements for payment have been made.

USCA Docket No.	Date Order Received	Estimated Completion Date	Estimated Length
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Signature of Court Reporter _____	Date: _____
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NOTICE: The Judicial Conference of the United States, by its resolution of March 11, 1982, has provided that a penalty of 10 percent must apply, unless a waiver is granted by the Court of Appeals' Clerk, when a "transcript of a case on appeal is not delivered within 30 days of the date ordered and payment received therefor." The penalty is 20 percent for transcript not delivered within 60 days.

Copies to: USCA - Clerk, District Court - Clerk, Party/Counsel Ordering Transcript